

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing Of Claims

1. (Original) An intramedullary nail for use with a first fastener and a second fastener for use in orthopaedic surgery, said nail comprising a body defining a longitudinal axis thereof, the body defining an aperture therethrough, the aperture having a first portion for cooperation with the first fastener to provide dynamic fixation and having a second portion for cooperation with the second fastener to provide static fixation.

2. (Currently amended) The intramedullary nail of claim 1, wherein the ~~slot~~ aperture has a rectangular central section and a cylindrical end section adjoining the rectangular central section.

3. (Original) The intramedullary nail of claim 2, wherein the cylindrical end section is adapted to matingly fit with the first fastener.

4. (Currently Amended) The intramedullary nail of claim 2, wherein the cylindrical end section is adapted to one of ~~slidably~~ slidable fit and ~~threadably~~ threadable fit with the first fastener.

5. (Original) The intramedullary nail of claim 1, wherein the aperture is adapted to provide for a slidable fit of the first fastener with said body along the longitudinal axis of said body.

6. (Original) The intramedullary nail of claim 2, wherein the slot further includes a second cylindrical end section opposed to the first mentioned cylindrical end section.

7. (Original) The intramedullary nail of claim 6:
wherein said body adjacent the first mentioned cylindrical end defines internal threads therein; and
wherein said body adjacent the second cylindrical end defines internal threads therein.

8. (Original) The intramedullary nail of claim 1, further comprising a resorbable component for cooperation with said body adjacent the aperture.

9. (Currently amended) The intramedullary nail of claim [[4]]8:
wherein said body comprises internal threads formed in the body adjacent the ~~opening~~aperture; and
wherein said resorbable component comprises external threads formed thereon for cooperation with [[the]] internal threads of said body.

10. (Currently Amended) The intramedullary nail of claim 1, wherein the ~~slot~~aperture defines a slot axis thereof, the slot axis being perpendicular to the longitudinal axis of said body.

11. (Original) A kit for use in orthopaedic surgery, the kit comprising:
a first fastener;
a second fastener; and
an intramedullary nail comprising a body defining a longitudinal axis thereof, the body defining an aperture therethrough, the aperture having a first portion for cooperation with said first fastener to provide dynamic fixation and having a second portion for cooperation with said second fastener to provide static fixation.

12. (Currently amended) The kit of claim 11, wherein the ~~slot~~ aperture has a rectangular central section and a cylindrical end section adjoining the rectangular central section.

13. (Original) The kit of claim 12, wherein the cylindrical end section is adapted to matingly fit with the first fastener.

14. (Currently amended) The kit of claim 12, wherein the cylindrical end section is adapted to one of ~~slidably~~ slidable fit and ~~threadably~~ threadable fit with the first fastener.

15. (Original) The kit of claim 11, wherein the aperture is adapted to provide for a slidable fit of the first fastener with said body along the longitudinal axis of said body.

16. (Currently amended) The kit of claim 12, wherein the ~~slot~~ aperture further includes a second cylindrical end section opposed to the first mentioned cylindrical end section.

17. (Original) The kit of claim 16:
wherein said body adjacent the first mentioned cylindrical end defines internal threads therein; and
wherein said body adjacent the second cylindrical end defines internal threads therein.

18. (Original) The kit of claim 11, further comprising a resorbable component for cooperation with said body adjacent the aperture.

19. (Currently amended) The kit of claim ~~[[14]]~~18:
wherein said body comprises internal threads formed in the body adjacent the ~~opening~~aperture; and

wherein said resorbable component comprises external threads formed thereon for cooperation with the internal threads of said body.

20. (Currently amended) The kit of claim 11, wherein the ~~slot~~ aperture defines a slot axis thereof, the slot axis being perpendicular to the longitudinal axis of said body.

21. (Original) A method for use in orthopaedic surgery comprising:
providing an orthopaedic surgery kit including a first fastener, a second fastener, and an intramedullary nail having a body defining a longitudinal axis thereof, the body defining an aperture therethrough, the aperture having a first portion for cooperation with the first fastener to provide dynamic fixation and having a second portion for cooperation with the second fastener to provide static fixation;
cutting an incision in the patient;
preparing a bone cavity;
inserting the nail into the cavity;
choosing one of static fixation and dynamic fixation for the surgery;
selecting one of the first fastener and the second fastener based on the choice of one of static fixation and dynamic fixation for the surgery; and
securing the chosen one of the first fastener and the second fastener into the nail.

22. (Original) An intramedullary nail for use in orthopaedic surgery, said nail comprising: a body defining a longitudinal axis and a transverse axis thereof, the transverse axis being normal to the longitudinal axis, the body defining an aperture therethrough, the aperture being substantially longer in the longitudinal axis than in transverse axis, the aperture defining an enlarged portion thereof along the longitudinal axis.

23. (Original) The intramedullary nail of claim 22:
wherein the aperture has a rectangular central section; and

wherein the enlarged portion is in the form of a generally cylindrical section and is positioned adjacent an end of the aperture.

24. (Original) The intramedullary nail of claim 23:
further including a fastener for cooperation with the body; and
wherein the cylindrical section of said body is adapted to matingly fit with said fastener.

25. (Original) The intramedullary nail of claim 24, wherein the cylindrical section is adapted to one of slidably fit and threadably fit with said fastener.

26. (Original) The intramedullary nail of claim 24, wherein the aperture is adapted to provide for a slidable fit of said fastener with said body along the longitudinal axis of said body.

27. (Original) The intramedullary nail of claim 23, wherein the aperture further includes a second enlarged cylindrical section opposed to the first mentioned cylindrical section.

28. (Original) The intramedullary nail of claim 27:
wherein said body adjacent the first mentioned cylindrical section defines internal threads therein; and
wherein said body adjacent the second cylindrical section defines internal threads therein.

29. (Original) The intramedullary nail of claim 22, further comprising a resorbable component for cooperation with said body adjacent the aperture.

30. (Original) The intramedullary nail of claim 29:

Application No. 10/761,185

Art Unit: 3733

Docket No. DEP5031

wherein said body comprises internal threads formed in the body adjacent the aperture; and

wherein said resorbable component comprises external threads formed thereon for cooperation with the internal threads of said body.

31. (Currently) The intramedullary nail of claim ~~[[21]]~~22, wherein the enlarged portion is adjacent an end of the aperture.